

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GOJO INDUSTRIES, INC.,

Plaintiff,

v.

INNOVATIVE BIODEFENSE, INC., and
AQUARIUS GLOBAL ENERGY
PARTNERS, LLC,

Defendants.

Civil Action No. 15-cv-2946 (PAC)

ECF Case

**DECLARATION OF DAN PUTALIK IN
SUPPORT OF DEFENDANT
INNOVATIVE BIODEFENSE, INC.'S
MOTION FOR TRANSFER OF VENUE
PURSUANT TO 28 U.S.C. 1404(a)**

I, Dan Putalik, under penalty of perjury declares as follows:

1. I am competent to testify to the facts contained in this declaration and I have personal knowledge of all matters set forth herein and to authenticate the documents attached hereto or incorporated herein as exhibits. I make this declaration in support of Defendant Innovative BioDefense, Inc.'s ("IBD") Motion for Transfer of Venue.


2. I am the Managing Partner of Aquarius Global Energy Partners, LLC ("Aquarius").

3. Aquarius is in the business of developing markets for products and business interests of others. It is comprised of Ellis Malovany, the other Managing Director, and me. Aquarius has no employees.

4. In October 2014, Aquarius executed an agreement with Defendant Innovative Biodefense, Inc. to promote, market and sell IBD products, which include the Zylast products at issue in this action. To date, Aquarius has not made any sales of any Zylast products.

5. Aquarius voluntarily consents to the jurisdiction and venue of the United States District Court for the Central District of California for all further proceedings in this case, including trial, entry of final judgment, and enforcement of the Stipulation and Order of Preliminary Injunction, dated April 30, 2015. I understand that appeal from the judgment will be taken directly to the United States Court of Appeals for the Ninth Circuit.

6. I declare under penalty of perjury that the foregoing is true and correct. Executed on June 10, at New York, New York.


Dan Putalik